

**RECEIVED
CENTRAL FAX CENTER****APR 10 2007****Amendment and Response**

Applicant: Travis J. Parry et al.

Serial No.: 09/873,094

Filed: June 1, 2001

Docket No.: 10005949-1

Title: METHODS AND APPARATUS FOR PROMOTING USE OF CONSUMABLE GOOD IN IMAGING DEVICES

REMARKS

The following Remarks are made in response to the Non-Final Office Action mailed January 18, 2007, in which claims 1-36 were rejected.

With this Amendment, claims 1, 2, 4-6, 8-17, 19, 21, 22, 24-26, and 31-36 have been amended to clarify Applicant's invention.

Claims 1-36, therefore, remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 103

Claims 1-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allen US Patent No. 6,233,408 in view of Bieganski US Patent No. 6,321,221.

With this Amendment, independent claim 1 has been amended to clarify that the method includes "detecting consumption by the imaging device of individual quantities of the consumables using the consumption detecting device;" "generating a reward when the consumption of a predefined collective quantity of the individual quantities of the consumables has been detected;" and "basing a value of the reward on the individual quantities of each consumable detected as being consumed by the imaging device."

With this Amendment, independent claim 10 has been amended to clarify that the method includes "detecting consumption by the imaging device of individual quantities of the plurality of consumables using at least one of the one or more consumption detecting devices, each of the consumables having individual consumable values;" "calculating a cumulative consumption value of the consumables based on the individual consumable values and the individual quantities of the consumables consumed by the imaging device;" "when the cumulative consumption value is at least a predefined value, rewarding a user of the imaging device with a reward defined by a value;" and "basing the value of the reward on the individual consumable values of the consumables and the individual quantities of each consumable detected as being consumed by the imaging device."

With this Amendment, independent claim 12 has been amended to clarify that the method includes "detecting consumption of individual quantities of the consumable by each of the plurality of imaging devices using the consumption detecting device of each imaging

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device;" and "when the consumption of a predefined collective quantity of the individual quantities of the consumable by the plurality of imaging devices has been detected, generating a reward."

With this Amendment, independent claim 17 has been amended to clarify that the apparatus includes "a consumable consumption detection device configured to detect individual quantities of each of a plurality of consumables that are consumed by the imaging device and to generate consumption signals in response thereto, each of the consumables having individual consumable values;" "an electronic writeable memory device;" "an electronic readable memory device configured to contain a reward message;" and "a processor configured to receive the consumption signals and to store a cumulative consumption value in the electronic writeable memory device, the cumulative consumption value being a function of the individual consumable values of the consumables and relative quantities of consumption of the plurality of consumables, the processor further configured to read from the electronic readable memory device the reward message when the cumulative consumption value is at least equal to a predetermined reward value, and to visually display the reward message to the user," wherein "a value of the reward is based on the individual consumable values of the consumables and the relative quantities of consumption of the plurality of consumables."

With this Amendment, independent claim 25 has been amended to clarify that the medium holds computer executable instructions to "detect consumption by the imaging device of individual quantities of a plurality of consumables;" "when the consumption of a predefined collective quantity of the individual quantities of the consumables has been detected, generate a reward;" and "base a value of the reward on the individual quantities of each consumable detected as being consumed by the imaging device."

With this Amendment, independent claim 33 has been amended to clarify that the medium holds computer executable instructions to "receive consumption signals from a consumption detection device configured to detect individual quantities of a plurality of consumables which are consumed by the imaging device, each of the consumables having individual consumable values;" "calculate a cumulative consumption value as a function of the individual consumable values of the consumables and relative quantities of consumption

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of the consumables, and store the cumulative consumption value in a readable memory device;" "determine when the cumulative consumption value is at least a predetermined reward value;" "generate the reward when the cumulative consumption value is at least the predetermined reward value;" and "visually display the reward," wherein "a value of the reward is based on the individual consumable values of the consumables and the relative quantities of consumption of the consumables."

With respect to the Allen and Bieganski patents, Applicant submits that these patents, individually or in combination, do not teach or suggest a method to promote the use of consumables in an imaging device as claimed in independent claim 1, do not teach or suggest a method to promote the use of a plurality of consumables in an imaging device as claimed in independent claim 10, do not teach or suggest a method to promote the use of a consumable in a plurality of imaging devices as claimed in independent claim 12, do not teach or suggest an apparatus for providing the user of an imaging device with a reward as claimed in independent claim 17, do not teach or suggest a computer-readable storage medium for use by a processor configured to execute computer executable instructions to generate a reward in response to the consumption of consumables by an imaging device as claimed in independent claim 25, and do not teach or suggest a computer-readable storage medium for use by a processor configured to execute computer executable instructions to generate a reward in response to the consumption of consumables by an imaging device as claimed in independent claim 33.

In view of the above, Applicant submits that independent claims 1, 10, 12, 17, 25, and 33, and the dependent claims depending therefrom, are each patentably distinct from the Allen and Bieganski patents and, therefore, are each in a condition for allowance. Applicant, therefore, respectfully requests that the rejections of claims 1-36 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 1-36 be allowed.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-36 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Nathan R. Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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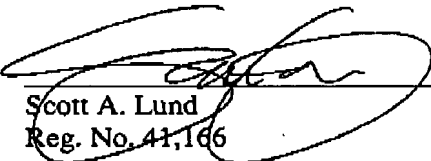
Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 10th day of April, 2007.

By 
Name: Scott A. Lund